UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

09/282893

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/282,893	03/31/99	CROMER D	RP9-99-005

025299
IBM CORPORATION
PO BOX 12195
DEPT 9CCA, BLDG 002
RESEARCH TRIANGLE PARK NC 27709

TM01/0605

EXAMINER	
BANKS HAROLD,M	
ART UNIT	**PAPER NUMBER**
2682	4

DATE MAILED: 06/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Regards
M.D Banks Harold
(703) 305-4379

PTO-90C (Rev. 2/95)

1- File Copy

U.S. G.P.O. 2000 ; 465-188/25268

Office Action Summary

Application No.	Applicant(s)
09/282,893	CROMER ET AL.
Examiner	**Art Unit**
Marsha D. Banks-Harold	2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Mar 19, 2001*

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideratio

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)☐ All b)☐ Some* c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15)☐ Notice of References Cited (PTO-892)

16)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18)☐ Interview Summary (PTO-413) Paper No(s). _____

19)☐ Notice of Informal Patent Application (PTO-152)

20)☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to because of the problems addressed in the attached PTO-948. Correction is required. See 37 CFR 1.85

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. ***Claims 1, 5-7, 11, 13 and 15-17*** are rejected under 35 U.S.C. 102(e) as being anticipated by D'Amico et al. (U.S. Patent Number 5,963,131), hereinafter referenced as D'Amico.

Regarding **claim 1**, D'AMICO discloses an anti-theft device with alarm screening. D'AMICO further discloses a method for providing protection against theft and loss of a portable computer system, the method comprising:

establishing boundary conditions within which the portable computer system is authorized for use, as exhibited in FIG. 2;

tracking a position of the portable computer system with a GPS unit in the portable computer system, as disclosed at column 19, lines 49-52 and exhibited in FIG. 2;

comparing the position to the boundary conditions to identify whether the portable computer system has violated the boundary conditions, as exhibited in FIG. 2; and

performing anti-theft routines when the position has violated the boundary conditions, as exhibited in FIG. 2.

Regarding **claim 5**, D'Amico discloses everything claimed, as applied above (see **claim 1**), in addition, D'Amico discloses where the position information is regularly reported, as exhibited in FIG. 2.

Regarding **claim 6**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 1, where D'Amico further discloses where the transceiver is used to report a potential theft of the portable communication system, as exhibited in FIGS. 1-2.

Regarding **claim 7**, D'Amico discloses everything claimed, as applied above (see **claim 6**), in addition, D'Amico discloses where the preset boundary conditions correspond to a chosen distance, as exhibited in FIG. 2.

Regarding **claim 11**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 5.

Regarding **claim 13**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 1.

Regarding **claim 15**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 14.

Regarding **claim 16**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 11.

Regarding **claim 17**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 7.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. ***Claims 2-4, 8-9 and 14*** are rejected under 35 U.S.C. 103(a) as being unpatentable over D'AMICO in view of Klein (U.S. Patent Number 5,936,526).

Regarding **claims 2 and 8-9**, D'Amico discloses everything claimed, as applied above (see **claim 1**), in addition, D'Amico provides support for using the cellular data telecommunications device for communicating with another device, as exhibited in FIG. 1. However, D'Amico fails to specifically disclose where the anti-theft routine comprised having the cellular transceiver call a

predetermined telephone number. However, the examiner maintains that the concept of having a cellular transceiver call a preset telephone number for an anti-theft routine is well known in the art, as taught by Klein.

In a similar field of endeavor, Klein discloses an apparatus for generating an alarm in a portable computer system. Klein, further discloses where a GPS system is used for tracking a portable computer and where a cellular transceiver is used to call a preset telephone number such as home as part of a anti-theft routine, where the home number reads on the emergency number, as disclosed at column 5, lines 63-66.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Amico by specifically providing for the calling of a preset number, as taught by Klein for the purpose of ensuring the owner of the portable communication device is alerted as to the location of the device.

Regarding **claims 3-4**, D'Amico discloses everything claimed, as applied above (see **claim 1**), however, Klein fails to specifically disclose or fairly suggest where a password was used as part of the anti-theft routine. However, the examiner maintains that the concept of using a password as part of an anti-theft routine is well known in the art, as taught by Klein.

Klein, further discloses where a code inputted by a system user is used to control the alarm conditions of the portable computer, as disclosed at column 6, lines 13-15.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Amico by specifically providing for the use of the password, as taught by Klein, for the purpose of ensuring the proper person is using the system.

Regarding **claim 14**, it is interpreted and thus rejected for the same reasons set forth above in the rejection of claim 2.

4. ***Claim 10*** is rejected under 35 U.S.C. 103(a) as being unpatentable over D'AMICO in view of Klein further in view of Fleming et al. (U.S. Patent Number 6,052,782), hereinafter referenced as Fleming..

Regarding **claim 10**, D'Amico and Klein disclose everything claimed, as applied above (see **claim 9**), however, the D'Amico combination fails to specifically disclose where a facsimile protocol is used to convey the location information. However, the examiner maintains that the concept of conveying information via facsimile is well known in the art, as taught by Fleming.

In a similar field of endeavor, Fleming discloses a method for locating a stolen electronic device using electronic mail. Fleming further discloses where information is transmitted via facsimile, as disclosed at column 1, lines 29-32.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the D'Amico combination by specifically providing for the use of facsimile to transmit information for the purpose of taking advantage of the benefits associated with data transmission.

5. ***Claim 12*** is rejected under 35 U.S.C. 103(a) as being unpatentable over D'AMICO in view of well known prior art (MPEP 2144.03).

Regarding **claim 12**, D'Amico discloses everything claimed, as applied above (see **claim 6**), however, D'Amico fails to specifically disclose where the GPS information is reported during boot up. However, the examiner takes official notice of the fact that it is well known to utilize GPS systems during various operating conditions of a electronic device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify D'Amico by specifically providing for the provision of GPS signals during various operating conditions for the purpose of ensuring accurate location of the electronic device.

Response to Arguments

6. Applicant's arguments filed 3/19/01 have been fully considered but they are not persuasive.

Regarding applicant's arguments concerning the GPS system, the examiner respectively disagrees since, based on the substitution or addition, FIG. 2 provides for the flow control to continue the boundary determining process prior to as well as after the alarm is sounded. Therefore, the examiner maintains that the claimed limitations have been addressed.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., single unit) are

8. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2021 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marsha D. Banks-Harold whose telephone number is (703) 305-4379. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chang, can be reached on (703) 308-6739. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

MDB-H/mdB-h
June 4, 2001

Marsha D. Banks-Harold

MARSHA D. BANKS-HAROLD
PRIMARY EXAMINER

US 0928289307P1



Creation date: 11-08-2004
Indexing Officer: SCHASE1 - SUSAN CHASE
Team: OIPEBackFileIndexing
Dossier: 09282893

Legal Date: 08-07-2001

No.	Doccode	Number of pages
1	A...	2
2	REM	5

Total number of pages: 7

Remarks:

Order of re-scan issued on